



FIRST 5 PLACER CHILDREN & FAMILIES COMMISSION

BYLAWS

Approved September 9, 2004

The following are the bylaws under which the First 5 - Placer Children and Families Commission shall function.

ARTICLE I - PURPOSE AND DUTIES

The County of Placer established this Commission pursuant to the California Children and Families Act . The Commission is codified in the Placer County Code, Chapter 49. See, also, the California Children and Families Program, California Health and Safety Code, Division 108, Sections 130100-130155; California Revenue and Tax Code, Division 2, Part 13, Chapter 2, Article 3, Sections 30131 et seq.

The Commission shall create and implement a comprehensive, collaborative, and integrated system of information and services to promote, support, and optimize early childhood development from the prenatal stage to five years of age. Additionally, the Commission shall work to ensure that early childhood development programs and services for proper nurturing and health care are universally and continuously available for the county's children until at least the beginning of Kindergarten.

To achieve the above comprehensive services the Commission shall:

1. Create and adopt a strategic plan for early childhood development within the county that is consistent with the California Children and Families Program and any applicable guidelines adopted by the California Children and Families State Commission.
2. Periodically review, on an annual or more frequent basis, the county strategic plan and make such revisions thereto as may be necessary or appropriate.
3. Prepare and adopt an annual audit and report pursuant to California Health and Safety Code Section 130150.
4. Conduct at least one public hearing on the initial strategic plan, on any revision thereto, and on each annual audit and report.
5. Administer the funds in the Children and Families Trust Fund consistent with the regulations of the Program and the governing strategic plan.
 - A. The Commission shall submit the adopted strategic plan and any subsequent revision thereto to the California Children and Families State Commission and other community organizations the Commission deems appropriate

- B. The Commission shall prepare and adopt an annual audit and report pursuant to Health and Safety Code Section 130150. The Commission shall conduct at least one public hearing prior to adopting the annual audit and report.
- C. The Commission shall conduct at least one public hearing on each annual report by the California Children and Families State Commission prepared pursuant to subdivision (b) of the Health and Safety Code Section 130150.
- D. The Commission shall administer the funds in the Children and Families Trust Fund consistent with the regulations of the Children and Families Act and the adopted strategic plan.

ARTICLE II - MEMBERSHIP

- A. The Commission shall consist of nine members appointed by the Board of Supervisors upon recommendation of the Commission. The persons appointed by the Board of Supervisors shall meet the following requirements:
 - 1. Two members of the Commission shall be appointed from the categories of:
 - a. County Health Officer
 - b. Managers of County children's services;
 - c. Managers of County public health services;
 - d. Managers of County behavioral health services;
 - e. Managers of County social services; and,
 - f. Managers of County tobacco and other substance abuse prevention and treatment services.
 - 2. One member of the Commission shall be a member of the Board of Supervisors.
 - 3. The remaining members of the Commission shall be appointed from any of the following categories:
 - a. Persons described in the above subsection (1);
 - b. Recipients of project services included in the County Strategic Plan;
 - c. Educators specializing in early childhood development;
 - d. Representatives of local child care resource or referral agencies;
 - e. Representatives of local child care coordinating groups;
 - f. Representatives of local organizations for prevention or early intervention for families at risk;
 - g. Representatives of community-based organizations that have the goal of promoting nurturing and early childhood development;
 - h. Representatives of local school districts; and,
 - i. Representatives of local medical, pediatric, or obstetric, psychology, social work, early education or other professional associations or societies.
 - j. Representatives of the general public who demonstrate an interest in early childhood development.

4. Members shall serve without compensation and shall be reimbursed the actual amounts of their reasonable and necessary expenses incurred in attending meetings and in performing the duties of their offices, in accordance with the provisions of the County of Placer Travel Policy.
5. All voting members of the Commission shall comply with the applicable conflict of interest laws, including but not limited to the following, to the extent to which they are applicable:
 - a. The California Political Reform Act of 1974, California Government Code Section 8700 *et seq.*;
 - b. The prohibition of the contractual conflicts of interest set forth in California Government Code Section 1090 *et seq.*;
 - c. The prohibition of incompatible employment, activity or enterprise for compensation set forth in California Government Code Section 1126 *et seq.*;
 - d. The common law rules against conflict of interest.

ARTICLE III - TERMS OF APPOINTMENT

- A. Each Commissioner shall hold office at the will and pleasure of the Board of Supervisors for a term not to exceed two consecutive three-year terms. No member may serve on the Commission for more than two consecutive three-year terms. Commissioners may be removed from the Commission prior to the expiration of the term by a majority vote of the Board of Supervisors or the Commission.
- B. Beginning in September of 2004 the transition to a three-year term of office shall begin. Any incumbent whose seat expires before January 1, 2009 shall be eligible to sit for an additional three-year term of office.
- C. An office shall become vacant if a commissioner resigns, becomes incapacitated, expires, is removed pursuant to subsection A. of this section, discontinues to function in the area or office from which appointed, or fails to attend three consecutive meetings of the Commission. The Board of Supervisors may choose to waive the vacancy in favor of the incumbent member of the Commission, or choose to make interim appointments to fill un-expired terms occurring during the term of members of the Commission. The Commission and the Board of Supervisors will endeavor to fill all vacancies within 90 days.
- D. If no successor has been appointed at the expiration of the term, the Commissioner shall serve until the appointment of the member's successor;

ARTICLE IV - OFFICERS

A Chairperson and Vice Chairperson shall be selected from among Commission members. Officers will serve two-year terms. Nominations for officers shall be made from the membership and an election of officers will take place at the first meeting of each calendar year.

The Chairperson shall convene and chair Commission meetings. The Chairperson is empowered to sign contracts and to authorize expenditures that have been approved by the Commission. The Vice Chair shall serve in the absence of the Chair and shall have the same authority vested in the Chair when serving in the Chair's absence. A person elected as chairperson shall serve through the end of the term as chairperson even if the person serves beyond his/her elected term. If serving beyond the elected term, the chairperson shall be a voting member but shall not occupy one of the nine designated positions.

ARTICLE V - MEETINGS

- A. The Commission shall meet at least four times per year. The Commission may elect to meet more frequently. All meetings, except those closed sessions permitted by law, shall be open to the public.
- B. No actions shall be taken by the Commission unless a quorum is present. A quorum shall consist of a simple majority of the number of Commission seats filled.
- C. Minutes of each Commission meeting will be kept and distributed for review by each voting member. The Commission shall approve the minutes prior to meetings and make them available for public review.
- D. Commission members are responsible for notifying the Chairperson so that a decision can be made to not hold a meeting if a quorum will not be present.
- E. All meetings of the Commission will be conducted in accordance with the provisions of the California Government Code Sections 54950 et seq. (The Ralph M. Brown Act),

ARTICLE VI – CONDUCT OF MEETINGS

The meetings of the Commission will be run by the attached Special Rules. At the discretion of the Commission Chair, for situations that warrant more formal parliamentary procedure, the Commission will use Robert's Rules of Order (Newly revised, 10th ed) Perseus 2000.

ARTICLE VII – SUBCOMMITTEES

The Commission shall support and seek advice from two standing committees: The Community Resource Committee, and the Executive/Finance Committee.

In accordance with the Children and Families Act, additional subcommittees, and/or advisory committees shall be appointed by the Commission as needed to further the goals of the Commission.

ARTICLE VIII - ADMINISTRATION

The Commission shall purchase administrative support as appropriate and necessary to fulfill its purpose.

ARTICLE IX – RECRUITMENT OF NEW COMMISSIONERS

The Commission shall use a process independent from Placer County to advertise, recruit and fill its scheduled and unscheduled vacancies. The Commission shall advertise for vacant seats. The Commission will use its Community Resource Committee to review applications and recommend candidates for the Commission to interview. The Commission shall interview potential candidates at a public meeting and pursuant to the Ralph M. Brown Act their vote shall be verbal and on the record. Upon completion of the interviews the Commission will make their recommendations to the Board of Supervisors. Commission staff shall process the recommendation through the County.

The Commission recognizes that the County is obligated to: 1) Keep a list of scheduled vacancies on the Commission, and 2) Notice unscheduled vacancies. The Commission staff shall work with County staff to ensure that such notices are consistent with the purposes of the Commission and are consistent with the specifics of each particular recruitment. All notices of vacancy shall be reviewed by the Executive Director of the Commission before they are posted. County staff shall give the Executive Director reasonable time to review such notices as mutually determined by Commission and County staff.

ARTICLE X - BYLAWS

Adoption and amendment of these bylaws become effective upon approval of the Commission. These bylaws may be amended, revised or repealed by a majority of the Commission provided that a notice of the amendment or revision is given in writing to each Commissioner at least one (1) week prior to the meeting.

ATTACHMENT

First 5 – Placer Children and Families Commission Bylaws

Special Rules for Meetings

Rule 1: Use of Special Rules

- a. These Special Rules are to be used at the regular business meetings of the First 5 – Placer Children and Families Commission.
- b. Any changes to these rules must be made by a vote of a simple majority of the Commission.
- c. Anything within these rules that is inconsistent with the Ralph M. Brown Act shall be null and void.

Rule 2: Procedural Guidelines to Place Items on the Commission Agenda

- a. Consistent with the Brown Act, any person can speak to the Commission during the designated time on the agenda on any items that are not delineated for discussion on that agenda.
- b. Written documents to be considered by the Commission at a regular meeting shall be given to the recording secretary of the Commission at least ten (10) business days before that scheduled meeting. In special circumstances, materials must be given to the recording secretary at least three (3) business days before the meeting, otherwise staff cannot guarantee circulation of the material.
- c. Anyone making a presentation to the Commission is responsible for supplying any equipment or other materials necessary for that presentation.
- d. At the discretion of the Executive Director of the Commission, a request to place an item on the Commission agenda must be received by the director at least fifteen (15) business days before that scheduled meeting.

Rule 3: Meeting Procedures

- a. Public Hearing Items: On any item designated a public hearing any member of the public may testify at the designated time on the agenda. Reasonable time limits may be placed on each speaker based on meeting attendance and other circumstances. Such limitations shall apply uniformly to all speakers.
- b. Non-Public Hearing Items: When an item is not designated as a public hearing, at the discretion of the Commission Chair, any public input may be accepted on such items.

- c. Regardless of whether an item is designated a public hearing or not, no one member of the public may speak a second time until everyone in the audience who wishes to speak has done so.
- d. The Commission Chair or any other person who is conducting a presentation to the Commission is encouraged to structure any discussion to proceed from opening (idea generation) to narrowing (evaluating ideas) to closing (making decisions).

Rule 4: Decision Making

- a. After a presentation has been given to the Commission by staff to the Commission or other presenters, and any public comment has been taken, the item shall be discussed by the Commission (If the item is designated as a public hearing the Chair shall announce the closure of the hearing and indicate that the item will now be discussed by the Commission). It shall be at the discretion of the Commission Chair to allow additional public input after the Commission discussion begins on any item.
- b. If a decision is needed by the Commission on the item an affirmative position will be made by a vote of a simple majority of the Commissioners present (50% + 1). Abstention votes do not count as an affirmative vote.
- c. If necessary the Commission can vote to postpone a decision on any item to a subsequent meeting. The Commission is not required by these bylaws to choose a date certain for that decision to be made.
- d. If more than one option is being considered by the Commission, the Commission may decide to use a "plurality vote". Then the option with the highest number of votes would be the approved course of action by the Commission.

Rule 5: Meeting Adjournment

- a. The meeting shall be adjourned by a simple majority vote of the Commissioners present.